

## **CONSERVATORSHIP CALENDAR NOTES**

**June 19, 2020**

**10:00 a.m., Department 40**

**Placer County Superior Court**

**All current local court COVID-19 information is at <http://www.placer.courts.ca.gov/general-covid-19.shtml>. In particular, please note:**

**Local Rule 10.28, "Remote Appearances—COVID-19 State of Emergency Temporary Rule," enacted April 6, 2020, requires remote telephone appearances for most court hearings. See Local Rule 10.28 for more details.**

**Local Rule 10.27, "eDelivery," requires electronic filing of documents by attorneys and represented parties.**

These calendar notes are provided pursuant to Local Rule 80.1.4 for the conservatorship calendar set for hearing **June 19, 2020, 10:00 a.m., in Department 40**, Commissioner Michael A. Jacques, presiding. Pursuant to Local Rule 80.1.4, these calendar notes are **not** a tentative ruling on the merits of any matter before the court.

Updated notes may be posted at any time. Notes will generally be updated the court day prior to the hearing. Staff may respond to limited questions concerning calendar notes; however, court staff may not give legal advice to parties or attorneys. Messages may be left for the Office of Legal Research at (916) 408-6119.

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**1. S-PR-0009228 Davidson, Nancy A.- In Re the Conservatorship of**

Missing revised inventory and appraisal referred to in the petition at ¶ 1.3A.

**2. S-PR-0009338 Watson, Claudia-In Re the Conservatorship of**

First and final conservatorship account is recommended for approval as prayed.

**3. S-PR-0009353 Ferreira, Ruth L -In Re the Conservatorship of**

Appearance is required for continued hearing on conservatorship account.

Missing amended account referred to in response to February 14 calendar notes.

Account, as filed, is not presented in the format required by Prob.C. §§ 1060-1063 & C.R.C. 7.575. Missing schedule of property on hand at the beginning of the account period and carry and market values of property on hand. Opening account balance conflicts with inventory and appraisal without explanation. Final property list conflicts with inventory and appraisal as to property descriptions and values.

Proposed bond is insufficient under C.R.C. 7.207. Income is not excluded from bond solely because it is used for conservatee's care. Based on bondable assets on hand and estate income, bond of \$126,000.00 appears to be required. Petitioner has indicated that a trustee bond of \$208,500.00 is instead required because all assets were previously transferred to the substituted judgment trust.

Missing sufficient declaration to support attorney fees request, C.R.C. 7.751(b) & 7.702.

Missing financial statements in support of the account, Prob.C. § 2620(c).

☎ As described above, to appear for the hearing, use of remote telephone appearance system is generally required. See Local Rule 10.28 or contact the clerk's office for information.

**4. S-PR-0009824 Ratcliff, Doreen; In re conservatorship of**

Amended petition for appointment of conservator of the person only

Appearance is required for continued hearing on amended petition for appointment of conservator of the person only.

Missing capacity declaration. Unverified doctor note / letter cannot substitute for required capacity declaration and does not satisfy Prob.C. § 810 et seq.

Court determination is needed: petitioner previously submitted an unfiled request for court order concerning attorney fees and respondent's personal property. Petitioner offers no authority supporting the request for estate orders where there is no conservatorship of the estate. Petitioner offers no authority for making a fees order where no petition under Prob.C. § 1470 et seq. has been filed.

Petition for attorney fees

Appearance is required for hearing on petition for attorney fees.

☎ As described above, to appear for the hearing, use of remote telephone appearance system is generally required. See Local Rule 10.28 or contact the clerk's office for information.

**5. S-PR-0010131 Nesbitt-Lopez, Alexander - In Re Conservatorship of**

Appearance is required for hearing on petition for appointment of limited conservator of the person.

Missing 15 days' personal service of citation with copy of petition to respondent.

Missing notice of hearing. Missing 15 days' service of notice of hearing with copy of petition to all second-degree relatives of respondent.

Missing Attachments 1h, 1j and 1l to the petition (see ¶¶ 1h, 1j and 1l).

☎ As described above, to appear for the hearing, use of remote telephone appearance system is generally required. See Local Rule 10.28 or contact the clerk's office for information.